

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

vs. :

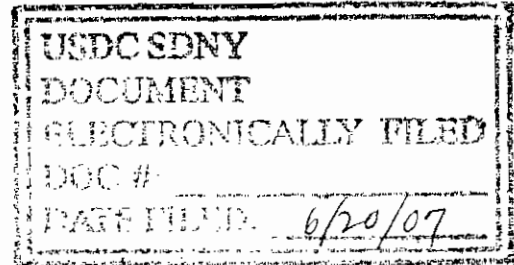
LOUIS LOWELL MCGUINN, :
aka "Lowell Craig McGuinn," :

Defendant. :
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KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

ORDER

07 Cr. 471 (KNF)



A pretrial conference was held in the above-captioned action on June 19, 2007. As a result of the discussion had during the conference, IT IS HEREBY ORDERED that:

1. on or before July 19, 2007, the defendant shall serve and file any pretrial motion(s) he deems appropriate;
2. on or before August 2, 2007, the government shall serve and file its response to the motion(s); and
3. on or before August 17, 2007, the defendant shall serve and file any reply(ies).

Counsel to the defendant has indicated that his preliminary analysis of the charged crime suggests that it might be constitutionally infirm. Counsel to the defendant has explained that, in order to represent his client adequately, he must perform extensive legal research to determine whether the instant criminal action may be maintained. However, because of a previously scheduled trial commitment, counsel to the defendant will be unable to turn his attention to the instant action immediately. He requested that the Court grant him the opportunity to fulfill his trial obligation and then turn his attention immediately to the research that must be undertaken on

behalf of the defendant which is discussed above.

The Court has considered the arguments urged on it by counsel to the defendant and has determined that a continuance, which will enable the defendant's counsel to prepare adequately the motion he intends to make challenging the constitutionality of the charge that has been preferred against his client, will serve the ends of justice. A continuance also outweighs the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(8)(A). Therefore, the time between June 19 and August 17, 2007, is excluded from the Speedy Trial Act calculation.

Dated: New York, New York
June 20, 2007

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

Mailed copies to:

Michael Rosenstaf, Esq.
Xaiver Donaldson, Esq.